

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

EDWARD G. MCCUSKER,)
)
Plaintiff,)
) No. 17-CV-11334-DLC
v.)
)
UNITED STATES OF AMERICA, et)
al.,)
)
Defendants.)
)

ORDER

SEPTEMBER 18, 2017

CABELL, U.S.M.J.

On July 19, 2017, the case was randomly assigned to this Court pursuant to the District Court's consent program. See Docket No. 8. By Order dated August 31, 2017, the Clerk was directed to issue summonses for service by the United States Marshals Service on the six identified defendants. See Docket No. 12. At that time, the Court did not permit the action to proceed against the unidentified defendants and plaintiff was advised that he could seek leave to file an amended complaint.

Now before the Court are plaintiff's motions to amend, for service materials and for service by the United States Marshals Service. See Docket Nos. 14 - 16.

Based on the foregoing, it is hereby Ordered that:

1. Plaintiff's motion (Docket No. 15) to amend is GRANTED;
2. The Clerk shall enter the amended complaint on the docket;
3. Plaintiff's motion (Docket No. 14) for service materials and motion (Docket No. 16) for service are GRANTED. The Clerk shall issue summonses and send the summonses, amended complaint and this Order to the plaintiff, who is reminded that he is obligated to comply with the service requirements of Rule 4(m) of the Federal Rules of Civil Procedure; and
4. The plaintiff may elect to have service made by the United States Marshal Service. If directed by the plaintiff to do so, the United States Marshal shall serve the summons, amended complaint, consent package and this Order upon the defendants, in the manner directed by the plaintiff, with all costs of service to be advanced by the United States. Notwithstanding Fed. R. Civ. P. 4(m) and Local Rule 4.1, the plaintiff shall have 90 days from the date of this Order to complete service.

SO ORDERED.

/s/ Donald L. Cabell
DONALD L. CABELL, U.S.M.J.